



**CONFIDENTIAL**

August 6, 2002

The Honorable Dr. Jeffrey W. Runge  
Administrator  
Room 5220  
NHTSA  
400 Seventh Street, S.W.  
Washington, D.C. 20590

**Re: Docket No. NHTSA 2002-12231; RIN 2127-AI46; Federal Register 49 CFR Part 541-  
Theft Prevention Standard**

Dear Dr. Runge:

Ferrari S.p.A. (Ferrari) hereby petitions NHTSA for reconsideration of the Notice of Proposed Rule Making of 49 CFR Part 541 "Theft Prevention Standard", published in the Federal Register/Vol. 67, No. 123 of June 26, 2002. We request NHTSA to modify the paragraph regarding the proposed exemption for small-volume manufacturers. More specifically we kindly ask NHTSA to change the limit for such category, as explained in the following.

### **Premise**

The notice of proposed rule making which modifies the Part 541 requires for all motor vehicle lines the marking, with the vehicle identification number (VIN) of some components like engine, transmission, hood, fenders, side and rear door, etc. The standard requires also the marking of the spare parts of such components, with the manufacturer's registered trademark, or some other unique identifier, and the letter "R".

The scope of this standard is to reduce the cars thefting and the market of their parts. NHTSA has defined the cost per car and per year that each manufacturer has to sustain to comply with the proposed modifications.

The marking is required for all vehicles regardless the theft rate, calculated each year. It will be no longer allowed to get an exemption based on the preliminary evaluation by NHTSA regarding the theft risk before the introduction into the USA market. Only vehicles produced by manufacturers which sell fewer than 500 vehicles per year in USA are exempted.

### **Proposed modification**

Ferrari really appreciates that NHTSA has introduced in the notice of proposed rule making a specific provision for SVMs, allowing them not to comply at the standard.

However Ferrari believes that the definition of small-volume manufacturer given in the standard should be changed. Consequently the paragraph S41.3 (c) should be modify as follows.



## CONFIDENTIAL

S41.3 (c) *Small volume manufacturers.* This standard does not apply to passenger motor vehicle parts that are present in passenger cars, multipurpose passenger vehicles, and light duty trucks manufactured by a motor vehicle manufacturer that manufactures fewer than 5,000 vehicles for sale in the United States each year.

We propose to increase the limit of vehicles actually sold into the United States of America, from 500 to 5,000, for the following reasons:

1. The standard is specific for USA market, so if a manufacturer sells few vehicles in USA each year the cost for marking all parts, including spare parts, are proportionally much higher than for large manufacturers.

We can not make an accurate evaluation, at this time, of the cost to mark the required components of the vehicle, and the related spare parts. Nonetheless, we believe that it should be more than \$ 24.84 estimated by NHTSA.

If labels are used to mark affected parts, we could be forced to buy a minimum quantity of labels, sometime much more of total annual worldwide.

2. We deem that the small-volume manufacturer definition should be the same for all safety standards, as it is for the federal (EPA) and California (ARB) emissions regulations, regardless of the level of stringency.

3. All Ferrari models of current production are equipped, as standard configuration, of an advanced electronic anti-theft system, with the immobilizer and alarm system.

Generally speaking vehicles produced by small-volume manufacturers are luxury vehicles (e.g. high performance sports cars, luxury sedan).

Most of these vehicles are not used as normal vehicle. Often the annual vehicle miles traveled are extremely limited. Owners of such expensive vehicles do not have any reasons to buy replacement parts by someone who is not an authorized dealer of the original manufacturer. For each car manufactured, both Ferrari factory and the official dealers, keep in their file all the relevant information.

The NHTSA data concerning the vehicles stolen in USA in the past few years clearly show that Ferrari cars have not been stolen, like other vehicles produced by other small-volume manufacturers.

We deem that the present situation is satisfactory at least for these kinds of vehicles.

4. Most parts of our vehicles, including major parts, which should be subject to VIN marking, are designed and manufactured specifically for one model. Therefore they cannot be exchanged between different vehicle models.



**CONFIDENTIAL**

## **Conclusion**

In light of the above, Ferrari respectfully petitions NHTSA to modify the proposed amended Part 541 standard to increase to 5,000 vehicles sold in USA each year under which the anti-theft marking is not required.

Should you need any other information on this subject, please do not hesitate to call me (phone: 01139 0536 949264, fax: 01139 0536 949594, e-mail: ccingi@ferrari.it).

Sincerely,

A handwritten signature in black ink, reading "Corrado Cingi".

Corrado Cingi, Chief  
Vehicle Certification Division  
FERRARI S.p.A.